

GARY MORTON,

Plaintiff,

v.

DEBBIE DELAPORTE, et al.,

Defendants.

THIS MATTER is before this Court upon Defendant Delaporte’s Motion for Summary Judgment (Document No.47.) It appears that the Defendant Delaporte may be entitled to have her Motion for Summary Judgment granted .

You now have the opportunity to reply to the Defendant Delaporte's Motion. You may not allege new facts surrounding the events in question as part of your reply. You should base your reply and argument(s) solely on the matters set forth in your original Complaint and/or those set forth in the Defendant Delaporte's Motion for Summary Judgment.

Defendant Delaporte previously filed a Motion to Dismiss on July 10, 2006(Document No.

43.) In response, Plaintiff filed a Motion to Stay in which Plaintiff requested additional time to clarify or amend his Complaint to include specifics as to Ms. Delaporte role in this case (Document No. 45.) In light of the Defendant's Motion for Summary Judgment, the Court declines to grant Plaintiff's Motion to Stay. The Court will not address a motion to amend at this time. Instead, Plaintiff is directed to respond to Defendant's Motion for Summary Judgment only. Specifically, Plaintiff may base his rely and argument(s) solely on the matters set forth in the original Complaint and/or those set forth in the Defendant Delaporte's Motion for Summary Judgment.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Plaintiff has twenty (20) days from the filing of this Order in which to provide a response to Defendant Delaporte's Motion for Summary Judgment. Moreover, Plaintiff's Motion to Stay is DENIED (Document No. 45.)

SO ORDERED.

Signed: August 21, 2006

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

